

**HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**

**C.R.No.414 of 1991**

**Date of decision : 21.03.2007**

**Ram Lotan**

**.....Petitioner**

**versus**

**Lila Krishan**

**.....Respondent**

**CORAM : HON'BLE MR. JUSTICE HEMANT GUPTA.**

Present : Mr.Ram Chander, Advocate for the petitioner.

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**ORDER**

**HEMANT GUPTA, J.**

The challenge in the present revision petition is to the order of ejectment passed by the Courts below on the ground that the premises in dispute are required for the bonafide use and occupation of the landlord and his family members.

The petitioner, herein, is tenant of one *Baithak'*. The house in question comprising of two rooms, one kitchen, one Varandah, one bathaik including latrine and bathroom.

It is the case of the landlord that his family consists of 8 members i.e. landlord, his wife, two sons, one daughter in-law and three children. The landlord has also five married daughters and second son of the landlord has also been engaged.

It has been found that there is unrebutted and unshattered testimony of the landlord and also that of his brother Aya Ram AW-1 in respect of the accommodation available for the family members. In view

of the extent of family members and the accommodation available, the requirement pleaded by the landlord-respondent cannot be said to be an excuse for eviction of the tenant. It is the case of dire necessity.

Consequently, I do not find any illegality or irregularity in the order passed by the learned Courts below which may warrant interference of this Court in exercise of its revisional jurisdiction.

Dismissed.

**March 21, 2007**

*\*mohinder*

**(HEMANT GUPTA)  
JUDGE**